

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 10, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER SENN; JASON
BEWLEY; JERED FULLEN;
DISABILITY RIGHTS WASHINGTON;
and JEWELS HELPING HANDS,
Plaintiffs,
v.

CITY OF SPOKANE, a municipal
corporation; SPOKANE COUNTY, a
municipal corporation; JOHN F.
NOWELS, in his official capacity as
Spokane County Sheriff;¹ and CRAIG
MEIDL, in his official capacity as
Spokane Police Chief,
Defendants.

No. 2:22-CV-00254-SAB

**ORDER ACCEPTING
STIPULATION REGARDING
PRELIMINARY INJUNCTION**

¹ John F. Nowels began serving as Spokane County Sheriff on January 1, 2023. The Court substitutes Sheriff Nowels in his official capacity pursuant to Fed. R. Civ. P. 25(d). The Clerk of Court is directed to update the caption accordingly.

**ORDER ACCEPTING STIPULATION REGARDING PRELIMINARY
INJUNCTION *1**

1 Before the Court is Plaintiffs' Amended Motion for Preliminary Injunction
2 and Declaratory Relief, ECF No. 16, and the parties' Stipulation re: Preliminary
3 Injunction, ECF No. 102. A hearing was held on the Motion for Preliminary
4 Injunction on January 27, 2023, in Spokane, Washington.

5 At the motion hearing on January 27, 2023, the parties indicated they
6 reached an agreement regarding a preliminary injunction. The agreement was
7 read into the record and accepted by the Court. On February 8, 2023, the parties
8 filed a stipulation memorializing the agreement. By this Order, the Court
9 memorializes its acceptance of the same.

10 Accordingly, **IT IS HEREBY ORDERED:**

11 1. Plaintiffs' Amended Motion for Preliminary Injunction and
12 Declaratory Relief, ECF No. 16, is **GRANTED**.

13 2. The parties' Stipulation re: Preliminary Injunction, ECF No. 102,
14 is **ACCEPTED into the record**.

15 3. Defendants and their employees or agents are **ENJOINED** from
16 the following:

17 **A.** Arresting and/or removing residents of Camp Hope from
18 their current location, or seizing their property, without specific
19 and individualized probable cause to arrest a person for a criminal
20 offense unrelated to an order given by Defendants to disband,
21 move, or otherwise leave Camp Hope. The Defendants are further
22 enjoined, alone or in cooperation with other law enforcement or
23 governmental agencies, from engaging in any effort to close or
24 shut down the Washington State Department of Transportation
25 Encampment located at East Pacific Avenue and South Ralph
26 Street in the City of Spokane, Washington, known as Camp Hope,
27 except pursuant to a nuisance abatement action under RCW 7.43,
28 7.48, and 9.66 and/or Spokane Municipal Code 10.68 in the

**ORDER ACCEPTING STIPULATION REGARDING PRELIMINARY
INJUNCTION *2**

1 Superior Court of the State of Washington in and for the County
2 of Spokane and in compliance with a Nuisance Abatement Plan
3 and Warrant of Abatement issued therefrom; **and**

4 **B.** Utilizing infrared imaging or similar technology to surveil
5 or record the residents of Camp Hope, without first obtaining a
6 judicial warrant for such a search.

7 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
8 file this Order and provide copies to counsel.

9 **DATED** this 10th day of February 2023.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

15 Stanley A. Bastian
16 Chief United States District Judge
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